

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEREMY LEVIN and DR. LUCILLE LEVIN,

Plaintiffs,

-v-

THE BANK OF NEW YORK MELLON,
JPMORGAN CHASE & CO., JPMORGAN
CHASE BANK, N.A., SOCIÉTÉ
GÉNÉRALE, and CITIBANK, N.A.

Defendants.

THE BANK OF NEW YORK MELLON,
JPMORGAN CHASE & CO., JPMORGAN
CHASE BANK, N.A., SOCIÉTÉ
GÉNÉRALE, and CITIBANK, N.A.

Third-Party Plaintiffs,

-v-

STEVEN M. GREENBAUM, *et al.*

Third-Party Defendants.

(FILED PARTIALLY UNDER SEAL DUE
TO CONFIDENTIAL INFORMATION
SUBJECT TO PROTECTIVE ORDER)

Civ. No. 09 CV 5900 (RPP) (MHD)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, Local Rule 56.1 Statement of Material Facts, Declaration of Suzelle M. Smith, dated June 2, 2014 and the exhibits thereto, the Declaration of James M. Dorsey, and the Affidavit of Dr. Patrick Clawson, Plaintiffs Jeremy and Dr. Lucille Levin (the “Levins” or “Levin Judgment Creditors”); Third-Party Defendants and Counterclaim Plaintiffs Steven M. Greenbaum (on his own behalf and as Administrator of the Estate of Judith (Shoshana) Lillian Greenbaum), Alan D. Hayman, and Shirlee Hayman (collectively, the “Greenbaum Judgment Creditors”); Third-Party Defendants

and Counterclaim Plaintiffs Carlos Acosta, Maria Acosta, Tova Ettinger, the Estate of Irving Franklin, the Estate of Irma Franklin, Baruch Kahane, Libby Kahane (on her own behalf and as Administratrix of the Estate of Meir Kahane), Ethel J. Griffin (as Administratrix of the Estate of Binyamin Kahane), Norman Kahane (on his own behalf and as Executor of the Estate of Sonia Kahane), and Ciporah Kaplan (collectively, the “Acosta Judgment Creditors”); and Third-Party Defendants and Counterclaim Plaintiffs the Estate of Michael Heiser, *et al.* (collectively, the “Heiser Judgement Creditors”) and together with the Levins, the Greenbaum Judgment Creditors and the Acosta Judgment Creditors, “Movants” or the “Judgment Creditors”) will move this Court, before the Honorable Robert P. Patterson, Jr., United States District Judge for the Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, New York 1007, on July 11, 2014 at 10:00 a.m., or at a date and time to be determined by the Court, in Courtroom 24A, for an Order granting the Judgment Creditors partial summary judgment and turnover with respect to the [REDACTED] Asset (as that term is defined in the accompanying motion papers) in the above-captioned action, and granting such other and further relief as this Court deems just and proper.

Dated: Los Angeles, California
June 2, 2014

HOWARTH & SMITH

/s/ Suzelle M. Smith

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